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Department of Natural Resources Bureau
for Remediation and Redevelopment



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Green Bay Spills Coordiantor 21st Winner Of Virginia Hart Award

Roxanne Chronert, Remediation and Redevelopment (RR) spills coordinator in Green Bay, was chosen as recipient of the 21st annual Virginia Hart Special Recognition Award. The award honors a woman in state service for exemplary performance and contributions to the citizens of the state.

Chronert was selected from more than 50 entries for the award named after Virginia Hart, the first female cabinet officer in Wisconsin history, who retired from the state in 1983. Hart was secretary of the Department of Regulation and Licensing, chair of the Department of Industry, Labor and Human Relations, and chair of the Labor and Industry Review Commission.



Remediation and Redevelopment Spills Coordinator Roxanne Chronert, left, with Virginia Hart. In June, Roxanne received the Virginia Hart Award, which honors women in state service for exemplary performance and contributions to the citizens of the state (photo by Focus Photography).

FEATURE

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Green Bay Spills Coordiantor 21st Winner Of Virginia Hart Award (con't.)

In nominating Chronert, Bruce Urben, RR Team Supervisor for the Northeast Region, praised her for her "exemplary work ethic and dedication," her "exceptional personal qualities," her "leadership and team working skills" and her "outstanding work performance."

He specifically cited her work in "always being in the forefront of all major spill emergencies" in the region, including a mercury spill in Green Bay, a train derailment in Weyauwega, an airplane crash at the Morning Glory Dairy and a train car fire in Oshkosh. He said Chronert "played critical roles in resolving the environmental emergencies which included fatalities, large evacuations and enormous discharges of hazardous substances."

Chronert has worked for the DNR for more than 10 years and has been the spills coordinator in the region for nine years. She received her award and \$250 at the annual Wisconsin Women in Government banquet held this summer in Madison. The award is sponsored by the Women in Government and the UW-Madison La Follette School of Public Affairs.

Budget Reductions, Layoffs Affecting RR Program

As state agencies move into the second year of the 2003-2005 State Biennial Budget, the DNR's Remediation and Redevelopment (RR) Program has made further cutbacks in staff and reductions in some services.

After the biennial budget was signed by Governor Doyle in 2003, RR managers created a plan to deal with losses in revenue and staff over the course of the last fiscal year (see "Governor Signs Budget, RR Funding Impacted," page 1, *Re News*, September, 2003).

However, RR Program managers only partially implemented that plan. "Through lots of hard work, fortunate timing for new federal grants and elimination of all vacant positions, we were able to avoid most impacts to program staff," said RR Bureau Director Mark Giesfeldt. "In the second year, however, we have lost six employees due to the elimination of RR positions. In total, we have been reduced from 110 positions in the program to 95, a 13 percent loss of our staff."

Giesfeldt said program managers have been working throughout the year to adjust workloads among staff to deal with losses through position eliminations, job changes or layoffs.

"Adjustments have been necessary, and more are still needed," said Giesfeldt. "Understandably, our customers want to know how this will affect the services we provide for the investigation, cleanup and reuse of Wisconsin's contaminated lands."

Among some of the changes that will affect program services, Giesfeldt noted the following:

- for site-specific project management, any change in staff workloads has been adjusted and can be viewed on line through the county contacts list at: http://dnr.wi.gov/org/aw/rr/technical/lists/contact_rr.htm#telephone;
- services for state-funded response projects will be affected by losses in funding and staff;
- state-wide services for project management will be affected with the loss of the program's chemist;
- redevelopment assistance in regional offices will be impacted by loss in staff;

BUDGET REDUCTIONS, LAYOFFS AFFECTING RR PROGRAM (CON'T.)

- additional time will be required for management of key services like the DNR's Brownfields Site Assessment Grant and Brownfields Greenspace and Public Facilities Grant programs; and
- facilitation of the Brownfields Study Group has also been affected by the staff shortages.

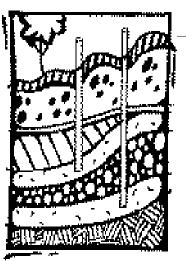
Also, customers should be aware that cutbacks to some DNR service center hours may affect any review of RR project files. Please use the following Internet web address to find more information about changes to service center operations: http://dnr.wi.gov/org/caer/cs/ServiceCenter/locations.htm.

Giesfeldt added that RR Program managers will work with customers as program changes continue to be implemented. Managers are also working on recommendations for the 2005-07 State Biennial Budget, which may include additional funding and staff changes.

For more information about the RR Program cutbacks, please contact Mark Giesfeldt at 608-267-7562 or mark.giesfeldt@dnr.state.wi.us. A list of staff reductions is also available in the RR News from DNR at the following link: http://dnr.wi.gov/org/aw/rr/general/listserve/04/08 11 04.pdf.

RR Study Looks At Closure Protocol

In 1996, Wisconsin changed its administrative rules relating to the conditions under which cleanup approvals and case closure – i.e. the "closing" of any investigation or remediation activities – could be granted at contaminated sites. After that time, state agencies began to accept remediation by natural attenuation as a tool to achieve closure, which is most common at sites with petroleum contamination. Natural attenuation makes use of natural processes in soil and groundwater to contain the spread of contamination and to reduce the amount of contamination from chemical releases.



This change occurred in an effort to reduce costs for cleanup of petroleum contamination. Under this system, closure may be granted at sites if 1) the source of the contamination is controlled to minimize the spread of contamination and reduce the time the site requires to achieve cleanup standards, and 2) a stable or receding contaminant plume in groundwater has been demonstrated.

Once a natural attenuation closure has been approved, it is assumed that groundwater enforcement standards can be achieved within a reasonable period of time through natural attenuation. Once a determination is made that natural attenuation processes are controlling the groundwater plume, the sites are closed and monitoring wells are abandoned.

Study Purpose

Currently, there is no post-closure monitoring at sites approved for natural attenuation, to evaluate the assumptions that were made at the time of closure. The departments of Natural Resources and Commerce, in conjunction with the U.S. Environmental Protection Agency (EPA) and University of Wisconsin, are interested in evaluating whether the protocols staff followed in making the decision to close sites with residual groundwater contamination have adequately protected public health, welfare and the environment.

RR STUDY LOOKS AT CLOSURE PROTOCOL (CON'T)

To that end, staff have undertaken a research study to evaluate whether the state's closure protocols – which rely on an assessment of natural attenuation potential using a combination of site monitoring data, statistical tests, and professional judgment – are adequate to forecast long term, post-closure stability or reduction in groundwater contaminant concentrations and mass.

Study Objectives and Scope

The four objectives of the study are to:

- (1) evaluate whether the information that is currently submitted for closure of petroleum discharge sites in Wisconsin is sufficient to evaluate a groundwater plume and predict any changes in the plume over time, so that the effectiveness of natural attenuation as a remedy can be evaluated;
- (2) determine, for a limited number of sites selected from a large database, if the forecasts made at the time of closure (e.g., the plume margin is stable or receding, and will continue to remain stable or recede further) have proven to be correct;
- (3) assess the effectiveness of the state's decision making process in the application of natural attenuation closure protocols to petroleum contaminated sites; and
- (4) identify any site characteristics that may indicate the need for a modified closure protocol and/or post-closure monitoring.

The study will comprise two components. The first major aspect of the study will involve building a database of information from a subset of the 2,300 closed underground petroleum tank sites currently on Wisconsin's GIS Registry of Closed Remediation Sites. The database will include information on the availability and nature of site characterization data related to location, geologic setting, aquifer and confining unit characteristics, groundwater flow rates and directions, contaminant concentrations, receptors, and site history.

The database will be used to assess such things as the relationship between geology and groundwater contaminant plume behavior; monitoring well placement in contaminant flow paths; and assessment of water quality data using non-parametric statistical tests.

The second major aspect of the study will consist of a two-year field study of approximately 10 petroleum tank sites selected from the database and closed between the dates of January, 1999, and December, 2000. The fieldwork will progress in two phases. The first phase will use two of the selected sites to pilot the field procedures to be used in the study.

In the second year of the study, staff will collect samples from eight additional closed leaking underground storage tank (LUST) sites. They will also review current land use for each site to determine if the assumption made by the agencies that land use will not change significantly while contaminants naturally attenuate is correct. The fieldwork will involve use of direct push technology to advance soil borings at each study site. Staff will locate borings at the original source and along the previously mapped plume to define the current extent of the plume, rather than trying to identify previously sampled points. They will also describe soil lithology and collect groundwater samples at various depths from each boring.

RR STUDY LOOKS AT CLOSURE PROTOCOL (CON'T)

Groundwater samples will be analyzed for the following contaminants: benzene, ethylbenzene, toluene, and xylene (BTEX), fuel oxygenates (e.g. MtBE, TBA, TAME, DIPE, EtBE), alcohols (e.g. methanol, ethanol, isopropanol, n-propanol, and n-butanol), trimethylbenzenes and napthalene. The fuel oxygenates – except for MtBE – and alcohols have been chosen because groundwater-quality standards may be developed for these compounds in the future.

While most of these compounds have not been included in standard laboratory analysis in Wisconsin, collecting the fuel oxygenates and alcohol data will help us define whether these compounds are a concern at Wisconsin LUST sites. Groundwater-quality parameters for assessing natural attenuation – dissolved oxygen, nitrate, total dissolved iron, and sulfate – and general water quality parameters – temperature, pH, specific conductivity – will also be analyzed.

What Will The Study Show?

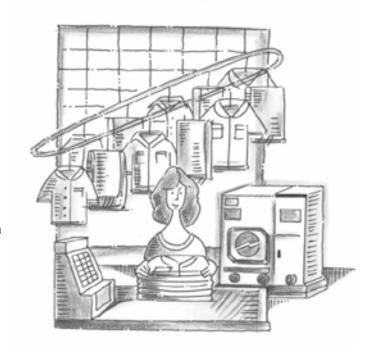
If the study shows contaminant plumes to be stable or receding in the selected environments, it is expected that the agencies will be able to conclude that the closure protocols used to make decisions on site closure are appropriate.

The study results will also help the agencies understand important controls on natural attenuation processes. If results of the study indicate that past and current protocols are generally successful in identifying sites where, following closure, plumes remain stable or shrink over time, it would also provide assurance to nearby residents, local government officials, the State Legislature, and the general public that current closure processes are responsible and appropriate.

Dry Cleaner Rules Revised

Since Governor Doyle signed into law statutory changes affecting the Dry Cleaner Environmental Response Fund (DERF) Program, rule revisions have been underway. Department staff are revising these rules in consultation with other DNR staff as well as an advisory group comprised of consultants and members of the drycleaning industry.

Staff anticipate presenting the rule changes, along with a request to authorize public hearings, to the Natural Resources Board (NRB) at their October meeting. A statewide video conference hearing is planned for the first week of November. Draft copies of the rule will be available on the RR Program web site after the Board authorizes hearings.



For more information, please contact Robin Schmidt at 608-267-7569, or robin.schmidt@dnr.state.wi.us. Also, please see the June, 2004, issue of Re News (page 8), for the previous update on DERF.



SUCCESS STORIES

Chapter II Restaurant Site Gets Brownfields Makeover

The Chapter II Restaurant sits atop the western edge of the Wisconsin River floodplain on the northwest side of the city of Wausau. The sand and gravel deposits that fill the Wisconsin River valley form the most important aquifer in Marathon County, known as the Wausau Aquifer. This unconfined aquifer is the source of nearly all drinking, irrigation, and industrial water near the Wisconsin River.

In 2001, the city of Wausau annexed the area surrounding the Chapter II Restaurant, and encountered contaminated soil and numerous highly deteriorated buried drums during the installation of sewer and water pipes at the property.

The contaminated soil and about 30 drums were removed and stockpiled onsite. Subsequent sampling confirmed that hazardous substances, including petroleum volatile organic compounds (VOCs) and polychlorinated biphenyls (PCBs), had been released to the surrounding soil. Additional buried drums were also visible on both sides of the excavated trench. Although the source of the buried drums was unknown, the current property owner provided approximately \$30,000 toward initial cleanup efforts.

Because of remaining concerns about potential migration of contaminants to the Wausau Aquifer, the DNR was tasked by the U.S. Environmental Protection Agency (EPA) to conduct a preliminary assessment at the site under the authority of Superfund (the Comprehensive Environmental Response, Compensation and Liability Act, or CERCLA).

Staff conducted the assessment to collect information concerning conditions at the site, which would be sufficient enough to assess the threat posed to human health and the environment, and to determine the need for additional Superfund or other federal/state actions.



Above, deteriorated drum carcasses are visible within the stockpiled soil at the Chapter II Restaurant property (photo by R. O'Leary, DNR).

CHAPTER II RESTAURANT SITE GETS BROWNFIELDS MAKEOVER (CON'T)

As part of the assessment, EPA's technical support group conducted a magnetometer study, which estimated the number and extent of buried drums remaining. Federal staff also provided laboratory services to determine the contents of the material in the excavated drums, and found elevated levels of PCBs along with petroleum and chlorinated liquids.

In September, 2003, EPA and their contractor arrived at the site to begin removal actions. A total of 102 deteriorated drums were removed along with 1,498 tons of contaminated soil. Liquids remaining in partially-intact drums, together with liquids which had seeped into nearby soils, were pumped to 19 new, 55-gallon drums for testing and appropriate disposal. Six of the 19 drums were characterized as hazardous waste and sent for incineration.

The remainder of the drums, together with the deteriorated drum carcasses and the contaminated soil, were sent to Cranberry Creek Landfill in Wisconsin Rapids.

The removal of the buried drums and impacted soil was successful in mitigating releases of petroleum VOCs and PCBs to the surrounding soil within the area of excavation. Staff assessed the potential for infiltration of contaminants to groundwater, as well as the potential for runoff of contaminants to surface water. Fortunately, DNR and EPA officials concluded that the potential for either was extremely low. The EPA is currently considering continuing efforts to identify the parties responsible for burial of the drums.

Milwaukee Designated a Groundwork USA Pilot Community

In September 2003, Milwaukee was designated a Groundwork USA Pilot Community. Groundwork USA is a network of independent, not-for-profit, environmental businesses called Groundwork Trusts linked together by the Groundwork USA national office. Groundwork's mission is to bring about the sustained regeneration, improvement and management of the physical environment by developing community-based partnerships which empower people, businesses and organizations to promote environmental, economic and social well-being.

Locally organized and controlled, Groundwork Trusts provide cost-effective project development services focused on improving the environment, economy and quality of life for communities. Each Trust represents a strong partnership between government, business, foundations, community groups and residents.

Objectives of the Groundwork USA network include reclaiming vacant and derelict lands for conservation, recreation and economic development; and returning brownfields to economically productive use while restoring blighted landscapes with healthy environments.

Milwaukee has established the Groundwork Milwaukee Steering Committee, which includes representation from the Southeast Region RR Program. The Committee will be provided funds and technical assistance from the National Park Service (NPS) and EPA to prepare a feasibility study and strategic plan assessing whether or not Groundwork is appropriate for Milwaukee.

EPA Nears Final Rule On All Appropriate Inquiry

If you work with contaminated properties, get ready to add "Bona Fide Perspective Purchaser" (BPP) and "All Appropriate Inquiry" (AAI) to your list of cleanup definitions. These terms refer to investigations into the potential for environmental contamination at a property a party may be interested in purchasing. The terms come from Superfund (the Comprehensive Environmental Response, Compensation and Liability Act, or CERCLA) and have been used as the basis for a new Superfund federal liability exemption.

A prospective purchaser, who did not cause the contamination on a property, can qualify for Superfund liability protection by meeting one of three qualifications: bona fide prospective purchaser, contiguous property owner, or innocent landowner. The liability protection depends on a series of requirements,

including conducting the AAI before purchasing the contaminated property.



The movement toward federal standards for BPP began with the passage of the federal brownfields law in January, 2002. The law directed EPA to write a rule to codify (i.e. put into code) the steps for that inquiry. A rule was drafted using a consensus-based process involving a range of interested parties. The agency expects the proposed rule to become "Part 312 – Standards for Conducting All Appropriate Inquiries" within the next year.

The new federal rule will affect a range of people who work with contaminated properties. Four groups should keep BPP and AAI in mind: environmental professionals who perform site assessments; prospective purchasers of contaminated property seeking to qualify for Superfund liability protections; lenders; and Wisconsin communities that have received EPA brownfields loans or grants for assessment or clean up of specific sites.

EPA has more information on about the Bona Fide Perspective Purchaser "Common Elements" at: http://www.epa.gov/compliance/resources/policies/cleanup/superfund/common-elem-guide.pdf. Or contact John Burnett with the RR Program at 608-266-2632, or john.burnett@dnr.state.wi.us.

Wisconsin Brownfields Coalition, Seven Communities Receive \$10 million in EPA Brownfields Grants



In June, the Wisconsin Brownfields Coalition (WBC) received a \$4 million U. S. Environmental Protection Agency (EPA) grant. The coalition, led by the DNR, in partnership with the departments of Commerce and Administration and Wisconsin's nine Regional Planning Commissions, will use the grant to create a revolving loan fund to clean up brownfields. Brownfields are abandoned or underused commercial or industrial properties, where real or perceived contamination may hinder reuse of those properties.

Wisconsin Brownfields Coalition, Nine Communities Receive \$10 million in EPA Brownfields Grants (con't)

"The revolving loan fund, called the 'Ready for Reuse' initiative, is intended to support my Grow Wisconsin initiative by helping communities clean up contamination that interferes with the redevelopment of brownfields," said Governor Jim Doyle.

Including the \$4 million for the revolving loan fund, 20 separate projects in seven Wisconsin communities are receiving \$10.38 million in grants. The communities include Ashwaubenon, Delavan, Oshkosh, Racine, Milwaukee, the Town of Madison and the St. Croix Chippewa.

"This is the largest amount of brownfields funding that Wisconsin has ever received from EPA," DNR Secretary Scott Hassett said. "The fact that we received 14 percent of the funds available nationwide shows that we are working very hard to help our communities achieve the new growth that is consistent with community needs at the estimated 8,000 brownfields properties in Wisconsin."

"The Wisconsin Brownfields Coalition is committed to making this funding available to communities as quickly as possible," said Darsi Foss, chief of the Brownfields and Outreach Section of the DNR's Remediation and Redevelopment (RR) Program. "We hope Wisconsin communities will be able to submit applications to the new revolving loan fund by this fall."

Some important features of the WBC's loan fund include:

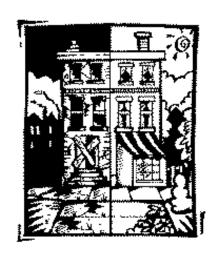
- applicants will need to show that uncertainty regarding contamination is a hindrance to redevelopment of the property;
- the fund will make awards to local governments, including tribal authorities;
- communities must match 22 percent of the grant award with their own contribution;
- one quarter of the fund will be set aside for cleanup of petroleum contamination that is ineligible for reimbursement from the state's Petroleum Environmental Cleanup Fund Award (PECFA).

The applicant criteria for the revolving loan funds are currently being developed. More information on Wisconsin's "Ready for Reuse" Initiative can be found on the RR web page at http://dnr.wi.gov/org/aw/rr/rbrownfields/index.htm, or by contacting Percy Mather at 608-266-9263 or percy.mather@dnr.state.wi.us.

Governor announces \$1.7 Million In Brownfields Site Assessment Grants For 35 Communities

This summer Governor Jim Doyle announced \$1.7 million in grants through the DNR to assess contamination at abandoned or underused properties in 35 communities across the state. The DNR's Brownfields Site Assessment Grants (SAG) will fund 50 projects that will begin the process to redevelop brownfields, which are abandoned, idle, or underused industrial or commercial properties where redevelopment is hindered by real or perceived contamination.

"These grants are a great way for communities to jump-start redevelopment of their urban centers," Governor Doyle said. "Since this program began in 2000,



GOVERNOR ANNOUNCES \$1.7 MILLION IN BROWNFIELDS SITE ASSESSMENT GRANTS FOR 35 COMMUNITIES (CON'T)

we've helped pave the way for scores of economic and community renewal projects that have resulted in the cleanup and safe reuse of those properties."

Small grants (up to \$30,000) make up 43 of the awards, while seven are large grants (between \$30,000 and \$100,000). The grants will provide funds for environmental activities on 188 acres of land. Activities include 77 site assessments and investigations, and the removal of 63 buildings or structures, 35 underground storage tanks, and 39 abandoned containers.

Local governments have also pledged \$1.6 million in additional funds for the projects, far more than the 20 percent match required through the application process.

"These grants are helping leverage local investment, which is good news for the economy," Governor Doyle said. "Once the redevelopment starts on these properties, that investment will continue to grow."

The DNR received 105 applications totaling \$4.4 million in requests, more than twice as much money than was available.

"The record number of applications and the dollar-for-dollar investment by local governments shows that - despite tough economic times - restoration of contaminated properties are a local priority, " Governor Doyle said. "We hope to continue funding this successful grant program to meet the needs of those communities facing the challenge of brownfield cleanups and redevelopment."

This is the fifth round of SAG awards since the program began in 2000. In the first four rounds, the DNR awarded more than \$4.85 million to 84 communities to begin investigation and cleanup at 554 acres. These activities included more than 210 site assessments and investigations, the removal of 162 underground storage tanks, and the demolition of nearly 200 structures and buildings.

Another \$1.7 million will be available for the program next fiscal year, which began July 1, 2004. The State Legislature first authorized \$1.45 million for the SAG program in the 1999-2001 State Biennial Budget after the Brownfields Study Group, a state-wide advisory task force, recommended the program in their 1998 final report.

The following local governments are receiving Round 5 grants.

Cities, Villages, and Counties

Ashland	Frank Tomlinson Construction Co.	\$100,000
Village of Bangor	Bangor Dutch Creek Redevelopment Site	\$30,000
Black River Falls	Winnebago North	\$25,817
Boscobel	Evergreen (Weadge) Trailer Park Redev.	\$30,000
Village of Boyceville	Former Feed Mill/Gas Station	\$30,000
Chippewa County	Chippewa Falls BI-Products II	\$30,000
Town of Fifield	Old Fifield School	\$12,800
Green Lake County	Manchester Mill	\$5,121
Town of Hamburg	Former Jack's Bar	\$21,000
Hillsboro	Former E. Hagenah Lumber Co.	\$5,000
Kaukauna	Former Gunderson Cleaners	\$30,000
Kaukauna	Telulah Canal Investigation	\$16,667
Kenosha	C&L Industrial Cleaners	\$29,500
Town of Madison	Novation Tech. Campus Brownfield Redev.	\$29,000
Manitowoc	Musial Paint Finishes	\$29,920
Manitowoc	100 Maritime Dr	\$30,000
Milwaukee	3326 W. Capitol Dr	\$30,000
Milwaukee	4522-30 W. Lisbon	\$29,999

Governor announces \$1.7 Million In Brownfields Site Assessment Grants For 35 Communities (con't)

Milwaukee Milwaukee Neenah Oconto Falls Town of Ojibwa Village of Oregon Village of Prentice Richland Center River Falls Sturgeon Bay Village of Thiensville Town of Washington West Allis West Allis West Allis West Allis Winnebago County Wisconsin Dells Redevelopment and Commun	3009 N. Humboldt Blvd 3613 N. Palmer St Canal St. RedevMunicipal Parking Structure Former Malcomson Oil Alban Kleutsch Property Hitching Post/Meriter Site Abandoned Church/Grocery Store Orange St. Commons Skoglund-Heutmaker Former Bulk Plant Prop. PBI Public Space Acquisition Gilbert Shoe Co. Ripley Property 700 Properties 1960 67th Place 100 Properties Former Wehr Steel Site Former American Quality Fibers Old Railroad Property	\$29,999 \$30,000 \$30,000 \$30,000 \$29,000 \$29,500 \$30,000 \$30,000 \$100,000 \$30,000 \$22,600 \$99,900 \$29,900 \$29,900 \$29,900 \$30,000 \$65,979
Village of Ashwaubenon Community Development Authority	Pedestrian Way Redevelopment Site Robert Tilleman Property	\$30,000 \$30,000
Brodhead Community Development Authority	Walder Property Redevelopment	\$29,500
Brown Deer Community Development Authority	Teutonia Enhancement Project	\$39,000
Community Development Authority of Glendale	USPS Carrier Annex	\$30,000
Redevelopment Authority City of Milwaukee	4227 N. Teutonia Ave Stadium Business Park Former OMC Facility/Jensar 620 S 44th St. 2674-82 Kinnickinnic Ave	\$29,999 \$30,000 \$30,000 \$30,000 \$29,999
Redevelopment Authority City of Racine	Jacobsen/Textron Property-03 Jacobsen/Textron Property-02 Jacobsen/Textron Property-01	\$30,000 \$10,000 \$30,000
Whitewater Community Development Authority	North Jefferson Street Redevelopment	\$100,000

For more information about the Site Assessment Grant program, please contact Andrew Savagian at 608-261-6422, or andrew.savagian@dnr.state.wi.us, or visit the DNR's Remediation and Redevelopment Program web site at www.dnr.wi.gov/org/aw/rr/rbrownfields/sag.htm.

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